



FLOOR ALERT – JOB KILLER
SB 616 (GONZALEZ) PAID SICK DAYS
SMALL BUSINESS AMENDMENTS REQUESTED

- **SB 616** would impose significant costs on businesses **of every size** by increasing the number of paid sick days employers are required to provide from 3 days to 5 days.
- Businesses in California that can afford to offer more than three days of sick leave are doing so, but many other employers simply cannot absorb that cost. According to the San Francisco Chronicle, many small businesses are **“in survival mode”** as they reel from the financial impacts of COVID-19 and rising inflation.
- **Small businesses in particular are disproportionately impacted. California small businesses are already struggling to keep their doors open and simply cannot afford the increased cost of additional paid sick days.**
- While one more paid benefit may not seem significant in isolation, this mandate must be viewed in the context of all of California’s other leaves and paid benefits. Despite the economic struggles that businesses have faced recently, the number of overlapping leaves has grown over the last few years and continues to grow.
- These mandated, increased labor costs will inevitably either be passed on to consumers as higher prices for goods and services, or force employers to reduce jobs or cut wages or other benefits.
- **SB 616** also does not address existing problems with the usage of paid sick leave in California. Specifically, California law prohibits employers from ever asking for **documentation**, even though local ordinances such as in Los Angeles and San Diego allow employers to ask for reasonable documentation. Employers have discovered employees using paid sick leave for non-sick leave related purposes, but there is nothing they can do because otherwise they face an alleged violation for interfering with or discouraging the use of leave.
- **SB 616** also continues to include requirements for the rail industry that is federally preempted under the Railroad Unemployment Insurance Act and should be removed.
- **SB 616 should be amended to require employers with 50 or less employees to provide 3 days of paid sick leave and 2 days of unpaid, job-protected leave. SB 616 should also be amended to allow employers to ask for reasonable documentation after 3 consecutive days of usage of sick leave.**